



12 AUG 2003

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In re Application of :
SIA, Charles D. Y. *et al* :
U.S. Application No.: 09/914,205 :
PCT No.: PCT/CA00/00190 :
Int. Filing Date: 24 February 2000 :
Priority Date: 24 February 1999 :
Attorney Docket No.: 1038-1176 MIS :
For: EXPRESSING GP140 FRAGMENT OF :
PRIMARY HIV-1 ISOLATE :

**DECISION ON
RENEWED PETITION
UNDER 37 CFR 1.47(a)**

This is a decision on applicants' "Renewed Petition under 37 C.F.R. 1.47(a)" filed on 30 June 2003.

BACKGROUND

On 05 May 2003, a decision dismissing applicants' petition under 37 CFR 1.47(a) was mailed for failing to provide a complete declaration signed by each co-inventor.

On 30 June 2003, applicants filed the instant renewed petition along with a copy of a declaration signed by Benjamin Rovinski on behalf of the nonsigning co-inventor, Charles D.Y. Sia.

DISCUSSION

In this renewed petition, the 37 CFR 1.47(a) applicant has provided signed declaration by Mr. Rovinski for himself and on behalf of the non-signing inventor, Charles D.Y. Sia. This declaration satisfies item (4) of 37 CFR 1.47(a).

Therefore, all of the requirements of 37 CFR 1.47(a) are complete.

CONCLUSION

Applicants' renewed petition under 37 CFR 1.47(a) is **GRANTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 24 February 2000 under 35

U.S.C. 363, and a 35 U.S.C. 371(c) date of 30 June 2003.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record and will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

A handwritten signature in black ink, appearing to read "James Thomson".

James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457



UNITED STATES PATENT AND TRADEMARK OFFICE

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PRIMARY HIV-1 ISOLATE

Dear Mr. Sia:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. § 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

A handwritten signature in cursive script, appearing to read "James Thomson".

James Thomson
Attorney Advisor
PCT Legal Office

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